

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Michael A. Bass

Serial No.: 09/855,062

Filed: May 14, 2001

Title: SIGN AND METHOD FOR ONLINE MARKETING OF GOODS AND SERVICES

Docket No.: 32759US1

PETITION TO MAKE SPECIAL

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Applicant hereby requests that the above-referenced application be made special under 37 C.F.R. § 1.102(d) and MPEP § 708.02, VIII: Special Examining Procedure for Certain New Applications - Accelerated Examination. This application has not received any examination by an examiner.

In compliance with MPEP § 708.02, VIII, Applicant hereby states as follows:

1. The petition fee in the amount set forth in 37 C.F.R. 1.17(h) (\$130.00) is submitted herewith.
2. All the claims in the above-identified application are direct to a single invention.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on the date indicated below.

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130.00 OP

Steven J. Solomon

Name of Agent for Applicant

June 12, 2001

Date

Signature of Agent

3. A pre-examination search was conducted in this case. The field of the patent search was:

Design Class 20; Subclasses 10, 20, 28, 41, and 42

Class 40; Subclasses 584, 588, 591, 597, 600, and 605

Class 705; Subclass 1

The search was directed to a sign displaying a website and a unique identifier or code number that corresponds to a particular item for sale advertised by the sign. A purchaser would visit the website and enter the identifier or code number to go directly to the advertised item. The above search did not turn up any advertising signs having an area to insert a code number, or a code number preprinted thereon, which would correspond to the advertised item on a website.

4. Also searched were printed publications including the publication Signs of the Times, a monthly signage industry magazine published by ST Publications, Inc., and Realtor, published by National Association of Realtors. One copy of each portion of the foregoing references deemed most closely related to the subject matter encompassed by the claims is submitted in an IDS herewith.
5. A detailed discussion of the relevant references, which points out how the claimed subject matter is patentable over the references, follows:

The claimed invention relates to a sign advertising a good or service for sale, which on its face has a website and a unique identification number. The number can be preprinted on the sign, or may be inserted by the sign's purchaser. Upon visiting the indicated website, a potential purchaser of the

advertised good or service enters the unique identification number to go directly to the advertised good and obtain information therefor.

The most relevant reference was found in the June 2, 2001 issue of the Montgomery County Homebuyer's Journal, page 49, where a home is advertised for sale and a code number is provided which can be used to access information about the home on the realtor's website. This method of marketing real estate differs from the claimed invention in at least two significant respects. First, the code number is present in a marketing circular or magazine which a potential purchaser must separately obtain before having access to the code number, or even being made aware that a home is for sale. Using this method, a potential purchaser would not even know that the home was for sale were he to see it in person. Rather, he is left to discover the home is for sale in a separate publication which he must separately acquire.

Whereas the sign of the present invention indicates to any potential purchaser upon viewing the good (or home) that it is for sale. Further, the invented sign displays the website address and the unique identifier or code number on its face, so that a potential purchaser would at the same time: a) see the good (or house), b) know it is for sale, c) be advised of a website where he can obtain more information, and d) know the unique identifier to take him right to the information regarding the good he saw.

Second, the advertisement in the realty magazine is not available directly to a consumer wishing to sell a good (or his home). Rather, he must engage the realtor's services and have the realtor advertise the home in its own publication


referencing its own website. By contrast, the invented sign is available directly to consumers wishing to sell a good or service. The consumer purchases the sign at a store, posts it himself to indicate exactly what is for sale, and then provides information on the website which a potential purchaser can view using the unique identification number on the sign.

Other signs advertising websites were also discovered during the search. However, these other signs merely advertise the websites to inform of their existence, and do not advertise a particular good or service for sale with information posted on the indicated website.

If there are any other fees required by this communication, please charge any such fees to our Deposit Account No. 16-1820, Order No. 32759US1

Respectfully submitted,

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